

EX PARTE OR LATE FILED

RECEIVED

JUL - 9 1992

SWIDLER & BERLIN

CHARTERED

3000 K STREET, N.W.

SUITE 300

WASHINGTON, D.C. 20007-3851

(202) 944-4300

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

SHELLEY L. SPENCER
ATTORNEY-AT-LAW

DIRECT DIAL
(202) 944-4798
TELEX: 701131
TELECOPIER: (202) 944-4296

July 9, 1992

BY HAND

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

ORIGINAL
FILE

Re: Ex Parte Presentation in Rulemaking No. 92-9

Dear Ms. Searcy:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, Local Area Telecommunications, Inc. ("LOCATE"), by its undersigned counsel, hereby files an original and one copy of this memorandum concerning a presentation made by Steve Curtin, Vice-President of LOCATE and Shelley L. Spencer of Swidler & Berlin to Michele C. Farquhar, Senior Legal Advisor to Commissioner Ervin S. Duggan on July 8, 1992. In their presentation, Mr. Curtin and Ms. Spencer discussed LOCATE's support for the Commission's Notice of Proposed Rulemaking to reallocate spectrum to an emerging technologies band and provided Ms. Farquhar with a copy of letters in support of the Commission's proposal filed by utilities and public safety agencies at the FCC and a migration proposal submitted earlier to the FCC's Office on Engineering and Technology.

If you need any additional information, please do not hesitate to contact me.

Sincerely yours,

Shelley L. Spencer
Shelley L. Spencer

cc: Michele C. Farquhar

No. of Copies rec'd 0 + 1
List A B C D E

**San Diego Gas & Electric**

P.O. BOX 1831 • SAN DIEGO, CA 92112 • 619/596-2000

RECEIVED**'JUL - 9 1992**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 29, 1992

FILE NO.

Mr. H. Franklin Wright
Frequency Liaison Branch
Office of Engineering and Technology
Federal Communications Commission
2025 M Street N.W., Room 7322
Washington D.C. 20554

Dear Mr. Wright,

San Diego Gas and Electric Company is the investor-owned utility serving San Diego County. As such, we employ 2 GHz. microwave equipment for voice and data communications throughout our service territory.

We support the Federal Communications Commission's initiatives regarding the development of emerging communications technologies including Personal Communications Services (PCS).

SDG&E is not opposed to relocating its current 2 GHz. facilities to higher operating frequencies through marketplace negotiations with PCS licensees, providing these licensees and the Commission fully satisfy our needs and concerns.

These needs and concerns include, among others: fair and equitable compensation, frequency availability, and new system performance at least as good as existing systems in critical areas of quality, capacity, and reliability.

Sincerely,

A handwritten signature in cursive script, reading "Russell H. Collins".

Russell H. Collins, P.E.
Manager - Telecommunications Department
San Diego Gas and Electric Company
P.O. Box 1831
San Diego, California 92112

bcc: Stephen Curtin
Vice President, Marketing and Development
Personal Communications Services
Locate, Incorporated
17 Battery Place, Suite 1200
New York, New York 10004-1256

**LONG ISLAND LIGHTING COMPANY**

EXECUTIVE OFFICES: 175 EAST OLD COUNTRY ROAD • HICKSVILLE, NEW YORK 11801

April 28, 1992

Mr. H. Franklin Wright
Frequency Liaison Branch
Office of engineering and Technology
Federal Communications Commission
Room 7322
2025 M. Street N.W.
Washington, DC 20554

Dear Mr. Wright:

Long Island Lighting Company supports the Federal Communications Commission's initiatives regarding the development of emerging communications technology including Personal Communications Services, (PCS). LILCO is presently in discussions with LOCATE and its subsidiary Personal Communications Network Services of New York (PCNS of NY) regarding the deployment of PCS throughout Long Island as both a user of PCS and as a partner in a potential joint venture.

LILCO is also a user of the 2 GHz private microwave band for internal communications. LILCO is not opposed to relocating its current 2 GHz facilities to a higher operating frequency through marketplace negotiations with LOCATE to provide LILCO with an alternate three location interconnection that fully satisfies the need and concerns of the company.

Sincerely,

Arthur C. Marguardt
Vice President

ACM:ib

COUNTY OF SUFFOLK



ROBERT J. GAFFNEY
COUNTY EXECUTIVE

DANIEL P. GUIDO
POLICE COMMISSIONER

POLICE DEPARTMENT

April 27, 1992

Alfred C. Sikes, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Chairman Sikes,

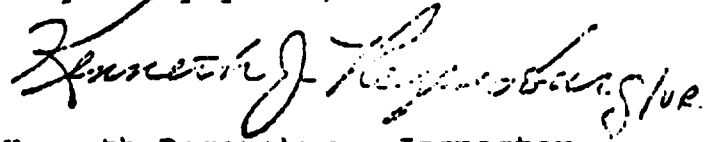
The Suffolk County Police Department currently operates private fixed microwave facilities in the 1850-1990 MHz band as part of its communications network. We are a Police Agency serving the Suffolk community on Long Island in New York State, residence of over 1.5 million people, covering approximately 600 square miles. Reliable and controllable communications are necessary to ensure public safety in Suffolk County.

Recently, Local Area Telecommunications Inc. ("LOCATE"), a potential licensee of Personal Communications Services (PCS) proposed to the County Police a relocation of our microwave facilities from the 1850-1990 MHz to higher frequencies or to non-radio media such as fiber optics. Specifically, LOCATE said they would take full responsibility for the engineering, equipment procurement, path clearance, licensing, installation, testing and cut over at no cost to the County.

Based upon the representations made by LOCATE and its offer to pay the costs of relocation and upgrade, the Suffolk County Police Department would be willing to relocate our microwave facilities to appropriate higher frequencies or fiber optics. We expect that this migration would enable us to continue to control the operations of our communications facilities, and provide us with the level of reliability needed for us to carry on with our system responsibility. Accordingly, we support and commend the Commission's proposal to encourage market based negotiations of this type as a means of reallocating spectrum in the 1850-1990

MHz band to emerging technologies.' We appreciate the special interest the Commission has shown towards the Public Safety community and their appointed charges.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Kenneth J. Regensburg". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kenneth Regensburg, Inspector
Communications & Records Bureau

cc: Joseph Monteith, Chief Inspector
Vincent Sullivan, Chief of Headquarters
Vincent Stile, Police Comm. Systems Director



THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIFORNIA 92101

OFFICE OF THE
CITY MANAGER
(619) 236-6363

May 26, 1992
FCC0118

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: ET Docket No. 92-9

In the Matter of the Notice of Proposed
Rule Making Concerning the Redevelopment of
Spectrum to Encourage Innovation in the Use
of New Telecommunications Technologies

Dear Secretary Searcy:

The City of San Diego is licensed for and operates a 2 GHz Microwave System primarily for the Public Safety Radio Service with nine (9) paths located in the City of San Diego and vicinity.

We are grateful for the opportunity to submit the attached comments on the subject matter.

Coleman Conrad
Deputy City Manager

CC/DW/PS
Enclosure

cc: Steven Curtin, Vice President PCS, LOCATE
Gary Gray, Chairman CPRA Frequency Advisory Committee
Art McDole, Chairman APCO FCC Dockets Committee
Ronnie Rand, APCO President
Judith Bauer, Director Intergovernmental Relations
Terry Flynn, Director General Services
David Wood, Deputy Director CS/Communications and Electrical Div.
Paul Salter, Sr. Communications



DIVERSITY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Notice of Proposed Rule Making)
Concerning Redevelopment of Spectrum) ET Docket No. 92-9
to Encourage Innovation in the Use of)
New Telecommunications Technologies)

To: The Commission

COMMENTS ON THE ABOVE REFERENCED PROCEEDINGS

The City of San Diego wishes to submit the following limited comments on the above referenced proceedings:

The City of San Diego, California is a municipal corporation duly organized and existing under the constitution and laws of the State of California, having within its corporate boundaries 1,144,347 persons and having jurisdiction of approximately 398 square miles.

The City operates a nine (9) path, 2 GHz microwave radio system licensed under Part 94 of Article 47, Code of Federal Regulations (CFR). This microwave network is the primary system for connecting the multiple dispatch and remote base station sites for the City's Public Safety Radio Service, two-way mobile radio system.

The City was recently approached by an official of Local Area Telecommunications Inc. (LOCATE), a firm which has been granted an experimental license for use of the 2 GHz spectrum in the San Diego, California area. They are a potential licensee of Personal Communications Services (PCS) nation wide. They proposed to start negotiations with the City to move our microwave facilities from 1850-1990 MHz and 2110-2150 MHz bands, to higher frequencies

Specifically, LOCATE said they would take full responsibility for the engineering, equipment procurement, path clearance, licensing, installation, testing and cut over at no cost to the City. Alternately, they indicated a willingness to work with the City in these matters in any way satisfactory to the City.

Based upon successful negotiation of a detailed contract with a potential licensee of Personal Communications Services (PCS) and their being granted a license to develop a PCS system in this spectrum, the City would be willing to relocate our microwave facilities to higher frequencies. Accordingly, we support and commend the Commission's proposal to encourage market based negotiations of this type as a means of reallocating spectrum in the 1850-1990 MHz and 2110-2150 MHz bands to emerging technologies.

The City is an active member of the Associated Public Safety Communications Officers (APCO) and have recently supported their opposition to proposals to reallocate this spectrum to other services for emerging technologies. However, the City can accept reallocation to other frequencies providing there is offsetting compensation; and we appreciate the special interest the Commission has shown towards the Public Safety community.

New York Times

MAY 19 1992

NEW YORK, TUESDAY

CHEVRON TO SPEND \$10 BILLION TO SEEK OIL IN KAZAKHSTAN

VAST JOINT DEVELOPMENT

Revenues Could Top \$5 Billion
a Year — 80% Would Go to
the Ex-Soviet Republic

By STEVEN GREENHOUSE

Special to The New York Times

WASHINGTON, May 18 — In one of the largest joint ventures between a Western company and a former Soviet republic, the Chevron Corporation signed an agreement with Kazakhstan today that envisions producing 700,000 barrels of oil a day and revenues of more than \$5 billion a year.

The agreement, signed in Washington by President Nursultan A. Nazarbayev of Kazakhstan, calls on Chevron to invest \$10 billion over 40 years to develop the Tengiz oil field, one of the largest in the world.

Russia Raises Fuel Prices

In another move to increase oil production and exports, President Boris N. Yeltsin of Russia signed a resolution today raising the prices of oil and natural gas more than fivefold. The higher prices are expected to send new shock waves through the fragile Russian economy, where factories, farms and transportation have long relied on inexpensive fuel.

Political leaders and officials of economic development agencies say a rise in energy prices is integral to Russia's economic reforms. [Page A8.]

Officials from Russia and Kazakhstan, the two largest republics, are looking to Western money and technology to help increase their oil production and exports. Production in the former Soviet Union slipped from 11.7 million barrels a day in 1990 to 10.3 million last year.

Could Set a Good Example

The agreement with Kazakhstan could pave the way for more Western investment in the former Soviet republics by showing that a large corporation can, despite the region's instability, conclude a major deal. Chevron executives voiced confidence that Kazakhstan would guarantee the agreement even though this new country is just now enacting a constitution.

The agreement ends a tense two years of on-again, off-again negotiations that were often delayed by the collapse of the Soviet Union, United States fears of investing in the former Communist world and Kazakh fears that Western companies were trying to

MORAL: ONE MEMBER OF AMERICAN
PETROLEUM INST. CAN SPEND \$10 B FOR FOREIGN
OIL DEVELOPMENT. ONLY \$2.75 B* WOULD BE
NEEDED FOR COMPLETE MIGRATION TO CREATE A
\$60-100 B PCS INDUSTRY TO BENEFIT AMERICAN PUBLIC
AND MANUFACTURERS

* FCC REPORT ON EMERGING TECH.

Chevron and Kazakhstan in a \$10 Billion Deal

Continued From Page A1

take advantage of them. Kazakhstan even had officials from Oman's Ministry of Petroleum and Minerals negotiate on its behalf to make sure it was treated fairly.

"Our journey to this point has been a long and sometimes difficult one," said Chevron's chairman, Kenneth T. Derr. "But the documents we've signed demonstrate the value of persistence."

Kazakhstan's negotiators appear to have driven a tougher deal, with a larger share of the profits, than the former Soviet Government was negotiating.

Kazakhstan and Chevron will each own 50 percent of the project. But after Chevron pays royalties and taxes on its half of the oil, Kazakhstan will receive about 80 percent of the income.

Although the joint venture plans to begin operating early next year, full production is not expected for at least a decade. The partners plan to invest \$1.5 billion in the first three years and \$20 billion over the life of the project.

The Tengiz field has an estimated 25 billion barrels of oil. "It's huge, it's enormous," said Heather Rowland, senior vice president for Petroleum Industry Research Associates Inc. in New York. "It's about as large as

Prudhoe Bay" off Alaska, the largest oil field in the United States.

But Chevron officials said that because of difficult geological conditions, only 6 billion to 9 billion barrels could be recovered from the Tengiz field, compared with 9.5 billion at Prudhoe Bay. Once the project reaches full production of 700,000 barrels a day, the Tengiz field will produce almost as much as Chevron's current total output of 1 million barrels a day.

In a statement, Chevron said the joint venture was expected to begin next January after an operating agreement was completed and details, including plans for an export pipeline, were worked out.

NATIONAL TUESDAY, MAY 19, 1992

L A3

Chevron executives said that for as long as five years, most of the oil from the Tengiz field will be sold within the former Soviet Union. But Chevron plans to push for construction of a 400-mile pipeline from Grozny to Novorossiysk on the Black Sea to allow oil exports.

Morley J. Dupre, the general manager of Chevron's Tengiz venture, said most of the oil would eventually be exported to Europe and the Mediterranean.

For three years, Chevron and several other United States companies, including Eastman Kodak and Johnson & Johnson, have been trying to negotiate a joint trade deal in the Soviet area. These negotiations collapsed late last year with the disintegration of the Soviet Union.

Kazakhstan nationalized its oil fields

last Aug. 31 and began driving a far harder bargain. President Nazarbayev demanded 87 percent of the income from the Tengiz field, and Kazakh officials threatened to open the field to general bidding. Negotiations broke down at one point, but a recent breakthrough resulted in an accord that could give the republic more than \$200 billion over 40 years.

The project, called Tengizchevroil, covers joint development of the Tengiz field and the nearby, much smaller Korolev field, as well as exploration of an area of about 1,500 square miles.

The Tengiz field, which covers about 200 square miles, was discovered in 1979 and has been producing oil since last year. Its 60 wells produce about 60,000 barrels a day; the joint venture aims to increase the total to 600 wells.



The New York Times

Kazakhstan's Tengiz oilfield is to be developed with Chevron.